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David V. Upite — 47,147
Name of Attorney or Agent — Registration No.

Signature of Attorney or Agent

P&G Case 8367

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of	:	
Benoit Ledoussal et al.	:	Confirmation No. 8264
Serial No. 10/017,969	:	Group Art Unit 1625
Filed December 14, 2001	:	Examiner Bernard I. Dentz

For Antimicrobial Quinolones, Their Compositions and Uses

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. [] 37 C.F.R. §1.97 (b)(1) - **U.S. Direct (within 3-months of filing a regular application or converted provisional)**

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. [] 37 C.F.R. §1.97 (b)(2) - **Via PCT (within 3 mo. of Nat'l Stage Entry)**

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. [] 37 C.F.R. §1.97 (b)(3) - **(>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) [] The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) [] The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) [] The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. [] 37 C.F.R. §1.97 (b)(4) - **(before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. [] Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. [X] 37 C.F.R. §1.97(c) with fee payment - **(use after 1st Office Action & bef re Final Office Action or Notice of Allowance)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle)* as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

[] (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

[X] (2) Copies of the cited documents are enclosed.

OR

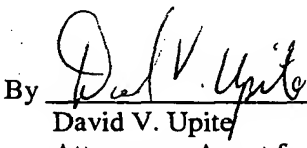
[] (3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

[] (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

[] (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

[] Additional information is attached.

Respectfully submitted,

By 

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Date: July 17, 2002

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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[redacted]EET 1 of 4

COMPLETE IF KNOWN	
Application Number	10,017,969
Confirmation Number	8264
Filing Date	December 14, 2002
First Named Inventor	Benoit Ledoussal
Group Art Unit	1625
Examiner Name	Bernard I. Dentz
Attorney Docket Number	8367

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No.[1]	U.S. PATENT DOCUMENT Number	Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	4,844,902		Grohe	07/04/1989	
	2	5,072,001		Hagen et al.	12/10/1991	
	3	5,328,908		Demuth, Jr. et al.	07/12/1994	
	4	5,457,104		Bartel et al.	10/10/1995	
	5	5,556,979		Phillips et al.	09/17/1996	
	6	5,599,816		Chu et al.	02/04/1997	
	7	5,726,182		Chu et al.	03/10/1998	
	8	5,580,872		Chu et al.	12/03/1996	
	9	5,229,396		Brighty	07/20/1993	
	10	5,412,l098		Yasuhiro et al.	05/02/1995	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No.[1]	FOREIGN PATENT DOCUMENT Office[3]	Number[4]	Kind Code[5] (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T[6]
	11	EP	0572259	A1	UBE Industries, Ltd.	01/12/1993		
	12	EP	0775702	A1	Toyama Chemical Co., Ltd.	05/28/1997		
	13	EP	0308019	A2	Merck & Co., Inc.	03/22/1989		
	14	EP	0413455	B2	Pfizer Inc.	07/30/1990		
	15	EP	0947513	A1	Daiichi Pharm. Co. Ltd.	10/23/1997		
	16	WO	99/07696	A1	Korea Research Institute of Chemical Technology	02/18/1999		
	17	WO	91/16894	A1	Abbott Laboratories	11/14/1991		
	18	WO	95/10519	A1	Abbott Laboratories	04/20/1995		
	19	WO	98/54169	A`	Daiichi Pharm. Co. Ltd.	05/30/1997		
	20	WO	98/52939	A1	Daiichi Pharm. Co. Ltc.	05/29/1997		
	21	FR	2656-611	A1		07/05/1991		
	22	JP	09002953		Chugai Pharmaceut Co. Ltd.*	07/01/1997		
	23	JP	62-255,482		Kyorin Seiyaku K. K.	11/07/1987		
	24	JP	03-115,277		Banyu Pharm Co., Ltd.	05/16/1991		
	25	JP	09-136,886		Daiichi Saiyaku Co., Ltd.	05/27/1997		
	26	JP	D10,287,669		Daiichi Saiyaku Co., Ltd.	10/27/1998		

[redacted]stract

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SHEET 2 of 4

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Application Number	10,017,969
Confirmation Number	8264
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Examiner Name	Bernard I. Dentz
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EXAMINER INITIALS*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	27	ALBRECHT, "Develolpment of Antibacterial Agents of the Nalidixic Acid Type", Prog. In Drug Research, 1977, p. 9-104, Vol. 21.	
	28	WOLFSON et al., "The Fluoroquinolones: Structures, Mechanisms of Action and Resistance, and Spectra of Activity In Vitro", Antimicrobial Agents and Chemotherapy, 1985, p. 581-586, Vol. 28, No. 4.	
	29	KLOPMAN et al., "Computer Automated Structure Evaluation of Quinolone Antibacterial Agents", Antimicrobial Agents and Chemotherapy, 1987, p. 1831-1840, Vol. 31, No. 11.	
	30	WENTLAND et al., "Quinolone Antibacterial Agents", Annual Reports in Medicinal Chemistry, 1986, p. 145-154, Vol. 20, Chapter 15.	
	31	CORNETT et al., "Quinolone Antibacterial Agents", Annual Reports in Medicinal Chemistry, 1986, p. 139-148, Vol. 21, Chapter 14.	
	32	WHITE et al., "Quinolones", Annual Reports in Medicinal Chemistry, 1987, p. 117-126, Vol. 22, Chapter 12, Section III – Chemotherapeutic Agents.	

EXAMINER	DATE CONSIDERED

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COMPLETE IF KNOWN	
Application Number	10,017,969
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Filing Date	December 14, 2002
First Named Inventor	Benoit Ledoussal
Group Art Unit	1625
Examiner Name	Bernard I. Dentz
Attorney Docket Number	8367

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	33	KOGA et al., "Structure-Activity Relationships of Antibacterial 6,7- and 7,8-Disubstituted 1-alkyl-1,4-dihydro-4-oxoquinoline-3-carboxylic Acids.", J. Med. Chem., 1980, p. 1358-1363, Vol. 23.	
	34	DOMAGALA et al., "1-Substituted 7-[3-(Ethylamino)methyl]-1-pyrrolidinyl]-6,8-difuoro-4-oxo-3-quinolinecarboxylic Acids. New Quantitative Structure-Activity Relationships at N_1 for the Quinolone Antibacterials", J. Med. Chem., 1988, p. 991-1001, Vol. 31.	
	35	ROSEN et al., "Asymmetric Synthesis and Properties of the Enantiomers of the Atibacterial Agent 7-(3-Aminopyrrolidin-1-yl)-1-(2,4-difluorophenyl)-1,4-dihydro-6-fluoro-4-oxo-1,8-naphthyridine-3-carboxylic Acid Hydrochloride", J. Med. Chem., 1988, p. 1586-1590, Vol. 31.	
	36	ROSEN et al., "Design, Synthesis, and Properties of (4S)-7-(4-Amio-2-substituted-pyrrolidin-1-yl)quinolone-3-carboxylic Acids", J. Med. Chem., 1988, p. 1598-161, Vol. 31.	
	37	LEDOUSSAL et al., "Potent Non 6-Fluoro Substituted Quinolone Antibacterials: Synthesis and Biological Activity", J. Med. Chem., 1992, p. 198-200, Vol. 35.	
	38	DONAGALA et al., "Quinolone Antibacterials Containing the New 7-[3-(1-Aminoethyl)-1-pyrrolidinyl] Side Chain: The Effects of the 1-Aminoethyl Moiety and Its Stereochemical Configurations on Potency and in Vivo Efficacy", J. Med. Chem., 1993, p. 871-882, Vol. 36, No.7.	

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	Filing Date	December 14, 2002
	First Named Inventor	Benoit Ledoussal
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	Examiner Name	Bernard I. Dentz
[redacted]EET 4 of 4	Attorney Docket Number	8367

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	39	HAGEN et al., "Synthesis and Antibacterial Activity of New Quinolones Containing a 7-[3-(1-Amino-1-methylethyl)-1-pyrrolidinyl] Moiety. Gram-Positive Agents with Excellent Oral Activity and Low Sid - Effect Potential", J. Med. Chem., 1994, p. 733-738, Vol. 37, No.6.	
	40	CECCHETTI et al., "Studies on 6-Aminoquinolones: Synthesis and Antibacterial Evaluation of 6-Amino-8-methylquinolones", J. Med. Chem., 1996, p. 436-445, Vol. 39, No.2.	
	41	CECCHETTI et al., "Potent 6-Desfluoro-8-methylquinolones as New Lead Compounds in antibacterial Chemothereapy", J. Med. Chem., 1996, p. 4952-4957, Vol. 39, No.25.	
	42	HONG et al., "Novel 5-Amino-6-Methylquinolone Antibacterials: A New Class of Non-6-Fluoroquinolones", Bioorganic & Medicinal Chem Letts., 1997, p. 1875-1878, Vol. 7, No. 14.	
	43	GUN et al, "Synthesis and Structure – Activity Relationships of 2-Pyridones: A Novel Series of Potent DNA Gyrase Inhibitors as Antibacterial Agents", J. Med. Chem., 1996, p. 3070-3088, Vol. 39.	
	44	SANDERS et al., "Inducible β-Lactamases: Clinical and Epidemiologic Implications for Use of New r Cephalosporins", Reviews of Infectious Deiseases, July-August 1988, p. 830-838, Vol. 10, No. 4.	
	45	MA et al, "Synthesis and Antimicrobial Activity of 4H-4-Oxoquinolizine Derivatives: Consequences of Structural Modification at the C-8 Position", J. Med. Chem., 1999, p. 4202-4213,. Vol. 42, No. 20.	

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